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OCT 13 2006

CUSTOMER NO.: 24498
Serial No.: 09/748,951
Final Office Action dated: 08/31/06
Response dated: 13 October 2006

PATENT
PU010002

REMARKS/ARGUMENTS

Claims 1-11 are pending. Reconsideration of this application is requested.

Claims 1-11 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Hirayama (United States Patent No. 6,128,434). Applicant traverses these rejections, and requests reconsideration and allowance of these claims for at least the following reasons.

To establish a *prima facie* case of obviousness, all of the recited claim limitations must be taught or suggested in the prior art. *See, MPEP 2143.03; see also, In re. Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974)*. Hirayama fails to teach or suggest each of the limitations of any of the pending claims for at least the following reasons.

Referring first to Claim 1, it recites:

A method for selecting a language in which menus are displayed and audio programs are broadcast on a receiver, comprising the steps of:

accessing an on-screen display for the receiver;
and

selecting a language by entering a single selection on the on-screen display, wherein after the selection, the menus are displayed in the selected language and the audio programs are broadcast on the receiver in the selected language. (emphasis added)

Hirayama fails to teach or suggest a single selection on an on-screen display, wherein after the single selection, the menus are displayed in the selected language and audio programs are broadcast on the receiver in the selected language – as is recited by Claim 1.

The Office action argues:

Hirayama teaches the concept of displaying a language selection menu (fig. 5A) and subsequently displaying other menus (fig 5B) in the selected language, and outputting audio in the selected language. 8/31/2006 Office action, pg. 2, par. 4, ll. 3-5.

In response, Applicant directs Examiner's attention to Fig. 5A of Hirayama and respectfully submits that after entering a single selection on the display of Fig. 5A of

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Hirayama, audio programs are not broadcast in the selected language. Rather, Hirayama explicitly calls for the use of a second menu to select the audio language (in addition to a first menu to select a World language). That is, Hirayama requires two selections, one for the World language and another for audio. With regard to Figs. 5A and 5B, Hirayama teaches:

When the disk 100 is installed, the VID and PIF in the management area in the disk are read automatically and stored as a table into work memory incorporated in the system control section 204 (FIGS. 4A and 4B). It is determined what type (movie or Kara-OK) of disk has just been installed (Steps S1 to S3). Then, the first menu screen (FIG. 5A) is displayed (Step S4). Next, it is determined which world language is selected by the user (Step S5). After the user has entered a select input, the second menu screen (FIG. 5B) is displayed (Step S6).

...

Comments are displayed on the second menu screen. The user is asked which language he wishes to select for speech and subtitles. On the first menu screen the comments are made in the world language selected. On this screen, the user can set a language for speech and that for subtitles (Step S7). For example, English can be for subtitles and Japanese for speech, or vice versa. Further, other languages may be combined. This determines the data strings for the reproduced sound. Col. 11, ll. 20-44 (emphasis added).

These steps are shown in Fig. 7 of Hirayama. As can be seen therein, at step S4 the menu of Fig. 5A is displayed, and a World language is selected. While the menu of Fig. 5B may be displayed by the Hirayama system in the language selected using the menu of Fig. 5A, Hirayama uses this second menu (Fig. 5B) displayed at step S7 to allow a user to select the audio language.

Accordingly, the reference Hirayama fails to teach or suggest, "entering a single selection on the on-screen display, wherein after the selection, the menus are displayed in the selected language and the audio programs are broadcast on the receiver in the selected language" – as is recited by Claim 1. Reconsideration and removal of this 35 USC 103 rejection is requested.

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In similar fashion, independent Claim 6 recites:

An apparatus for selecting language in which menus are displayed and audio programs are broadcast on a receiver, comprising:

means for displaying an on-screen display for the receiver; and

means for selecting a language by entering a single selection on the on-screen display, wherein after the selection, the menus are displayed in the selected language and the audio programs are broadcast on the receiver in the selected language.

For at least those reasons set forth above with regard to Claim 1, reconsideration and removal of the 35 U.S.C. 103(a) rejection of Claim 6 as being unpatentable over Hirayama is also requested.

Claims 2-5 and 7-11 each ultimately depend from one of Claims 1 and 6. Accordingly, Applicant requests reconsideration and removal of the rejections thereof as well, at least by virtue of their ultimate dependency upon a patentably distinct base Claim 1.

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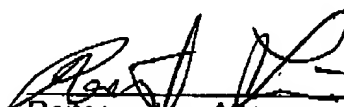
CONCLUSION

In view of the foregoing remarks, it is believed that all of the Examiner's bases for rejection have been addressed. Accordingly, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (609) 734-6813, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No fee is believed due. However, if a fee is due, please charge the fee to Deposit Account 07-0832.

Respectfully submitted,
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